

**Washington County Land Use Authority Meeting**  
**July 13, 2010**  
**(Recording available)**

The Washington County Land Use Authority Meeting was held on Tuesday, July 13, 2010, at the Washington County Administration Building, 197 E. Tabernacle, St. George, Utah. The meeting was convened at 1:30 p.m. by Chairman Stucki. Commissioners present: Joann Balen, Kim Ford, Rick Jones, Julie Cropper and Dave Everett. Also present: Deon Goheen, Planning & Zoning Administrator; Rachelle Ehlert, Deputy Attorney; Kurt Gardner, Building Official; Todd Edwards, Public Works Engineer; John Willie, Senior Planner; and Darby Klungervik, Planning Secretary.

Excused: Debora Christopher and Doug Wilson

Audience attendance: Bob Almy, Cheryl Almy, June J., Ken Kofoed, Lynn Kofoed, Randy Irving, Rosemarie Russell, Reid Russell, John Slack, Maria Peterson, Steve Hirst, Doug Watts, Barbara Frey, Louise DeVitto, Priscilla Goimarac, Ellen Jill Fletcher, Jane Fletcher, Jerome Gourley, Ron Kelson, Janet Kelson, Phil Packard, Bill Newman, James Jorquez, Kim Hafen, Verna Conde and Joe Hawn

Chairman Stucki led the audience in the Pledge of Allegiance and explained meeting protocol.

**Item #1. STAFF COMMENTS:** Review staff comments for each item listed below. Staff initiated.

**Item #2. DISCUSSION ITEM/GENERAL PLAN AMENDMENT** Review Section VI. School and Institutional Trust Lands; and Section VII. The Private Land in Washington County portions of the Washington County General Plan of 2010. County initiated.

The Planner noted John Willie has been working on the General Plan for the past year and he will be continuing his review of several sections in draft form. He has presented a short introduction of the Bureau of Land Management, National Forest, National Park, Institutional and Trust Lands Administration. The commission should be ready to make comments on what was presented.

John Willie, Senior Planner, and the commission discussed the general plan regarding trust lands. Mr. Willie noted that Nancy Lucchetti, GIS specialist is still working on the table shown on page 55. He also said the Navajo Sandstone Water Aquifer will be added to page 56.

In response to the commission, the Planner clarified that dry farming is specific to those areas listed on page 63.

The commission will be reviewing Appendix I at the next meeting.

**Item #3. CONDITIONAL USE PERMIT EXTENSION** Review extensions on crushing operation: (1) near Veyo, Utah in Section 11, T40S, R17W, SLB&M; and (2) Frei Pit in Section 36, T41S R17W, SLB&M located south of Ivins. Progressive Contracting Inc., applicant

The Planner informed the commission that this will be their 9<sup>th</sup> extension for these two sites and there seems to have been no activity at these locations. As per the previous meeting minutes, Progressive Contracting desires to retain the right of use for projects that may become available. Whereas, the County has been seeing a lot of development in the Ivins area, it would be well for the Planning Commission to review these uses annually and note that it is approved according to the conditions set at the previous meetings. She included that although there have not been any complaints, the Frei Pit looks to be in violation of the counties ordinance pertaining to junk. The applicant is in attendance to provide an update.

John Slack, representing Progressive Contracting, stated they would like to keep this Conditional Use Permit in effect incase they obtain work in the area. They have not used the pit in four (4) to five (5) years; the last time it was used was after the flood. In response to the commission, he said Carl Bowler either owns the property or at least the mineral rights.

The commission discussed MSHA requirements and some safety issues concerning the property and it was determined that the parcel is fenced.

The Planner stated they will need a permit from the Environmental Protection Agency prior to locating a crusher or beginning any work.

**Motion was made by Commissioner Balen to recommend approval of the Conditional Use Permit Extension, for the pit located in Veyo, for a period of one (1) year. Commissioner Jones seconded the motion, with all five (5) commissioners voting aye.**

Mr. Slack said the equipment shown in the pictures does not belong to Progressive Contracting. He said they appear to be trucks belonging to Ryan Construction. He included that although he has never been to the Frei Pit, he would assume Ryan Construction has a deal to use this property. Progressive Contracting has never used this pit; therefore, they do not have equipment located at this site.

The commission decided the nuisance would have to be handled as a separate matter with the landowner. This applicant's Conditional Use Permit only covers mineral extraction. The debris on site does not belong to this applicant.

Kurt Gardner, Building Official, gave a brief description of the location of the Frei Pit.

**Motion was made by Commissioner Balen to recommend approval of the Conditional Use Permit Extension, for the Frei Pit located on Highway 91 south of Ivins, for a period of one (1) year. Commissioner Cropper seconded the motion, with all five (5) commissioners voting aye.**

**Item #4. CONDITIONAL USE PERMIT EXTENSION** Request permission for to install a proposed 100' lattice tower within the RA-1 zone, on 1 acre of land owned by the Theresa Haury, in Veyo. Atlas Tower, LLC, Tower Owner and WiBlue, Inc./Nathan Foster, applicant.

The Planner said this is an automatic annual review and communication towers are conditionally approved within the RA-1 zone. Previously, the applicant had submitted the site location plan and a drawing of the tower. The 100' tower meets the height requirement of the ordinance. There is a requirement for colocation and accessory equipment shelters will be reviewed. This application meets the requirement for a "lattice type" tower and there may be no need for a "fall" zone to be created, as this tower is located far enough away from water tanks on the adjacent property and the Ag/Manufacturing Bldg on private property, with the leased area being 30' x 40' and the tower being centrally located. No permit has been issued on this item as yet. The applicant is present to provide an update.

Jerome Gourley, an independent contractor representing Atlas Towers, said they would appreciate a one (1) year extension on this permit as the telecommunications market is experiencing the same corrections as the housing market. They do not have a tenant at this time, but would like the extension to secure a tenant. They do have a new lease with the landowner, with a second option period, which has been paid for. This tower will rent space to multiple carriers to enhance signal from Veyo north and south to Dammeron Valley. Mr. Gourley added the Spanish Trail access road is within the towers fall zone, but Highway 18 is not.

**Motion was made by Commissioner Ford to recommend approval of the Conditional Use Permit Extension, for Atlas Towers in the RA-1 zone in Veyo, for a period of one (1) year. Commissioner Cropper seconded the motion, with all five (5) commissioners voting aye.**

**Item #5. CONDITIONAL USE PERMIT EXTENSION** Request permission for to install a proposed 100' lattice tower within the RA-1 zone, located near the water tank, on land owned by the Washington County Water Conservancy District, in the Cliff Dweller's subdivision. Atlas Tower, LLC, Tower Owner and WiBlue, Inc./Nathan Foster, applicant.

The Planner said again, this is an automatic annual review and communication towers are conditionally approved within the RA-1 zone. A rough electrical inspection was made on June 9, 2010 and passed final inspection last week. There was a lot of public clamor on this approval after the fact. Previously, the applicant had submitted the site location plan and a drawing of the tower. The 100' tower meets the height requirement of the ordinance. There is a requirement for colocation and accessory equipment shelters will be reviewed. This application met the requirement for a "lattice type" tower and "fall" zones were created, although, the residences on private property and nearby water tank looks like they are far enough way, with the leased area being 40' x 40' and the tower being centrally located. The Planner showed photographs of the completed tower and an aerial view of the tower in relation to the homes.

Doug Watts said the aerial does not show the homes, but the homeowners could probably tell the exact distance to their homes.

Ken Kofoed, resident who lives within 220' feet of the tower, said the residences are not within the fall zone, but their properties are. He said they also have the legal right to the use of the cul-de-sac from the water committee and if the tower were to fall it would impact the water tower, the people to the north, and the cul-de-sac that the residents use. He added several residences are within 200 feet or so and their property lines are within a 100 feet of the base of the tower.

Reid Russell, resident, said there are four (4) homes within 200-250 feet of the tower base. His home is down slope and is about 350 feet of the tower base. The homes to the north are around 250 feet each and they are drastically down slope and therefore, 100 feet is not a realistic fall line for that hill top. There are fourteen (14) homes within 400 feet and none of the photos taken showed those homes.

The chairman agreed that if the tower fell it would slide.

Rosemarie Russell, resident, said her house is within 350 feet of the tower and her house is fifty feet below the base of the tower. She included the house that is closest is sixty (60) feet below the base of the tower and the master bedroom is right on line with one of the legs. It is probably about 150 feet closer than her house. Another home is quite close and the drop off is more extreme. She added there are bedrooms facing where this tower could possibly slide down to and she said they are talking about fall distance not fall line because when you have fall distance on a slope you don't know where it is going to go. She concluded saying the antennas could break loose and become shrapnel if the tower falls.

Kurt Gardner, Building Official, said Henry Brannon did the final inspection on this tower and it is complete. Chairman Stucki asked him for his best guess on how far he thought the tower would slide and he replied because it is a lattice tower and there is a lot of rock present it probably wouldn't slide far. The tower also does not weigh a lot and he has never seen one fall. He said the towers are maintained and the owner of tower also wants to ensure it does not come down. It would take a lot to bring that tower down and it is designed for a 90 mph wind. Mr. Gardner stated the foundation is designed for this tower, the soils were engineered, and there is solid soil underneath it.

Todd Edwards, County Engineer, said these towers are bottom heavy and so when they do tip over they don't tend to go any where. It is not likely to pose a sliding hazard because of its angular form.

Rachelle Ehlert, Deputy Attorney, said she has not read any new case law on cell towers, but the commission needs to decide through work meetings how to regulate cell towers, as well as amateur radio. She included that in her brief search on the internet she found most of the perceived dangers of cell phone towers are from emissions, not falling.

Jerome Gourley, representing Atlas Towers, showed the survey of the property and stated the distances to the nearest property lines, with the closest being 112 feet. He said the slope is fairly gentle on the east and north; the homes to the west and southwest sit a little lower. He could not attest to the slope, as he is not an engineer. He informed the commission that they relocated the site to ensure it never crossed a property line initially because of concerns about the fall zone.

Mr. Gourley has been in this industry for eleven (11) years and has never seen a site fail, with the exception of the site that was destroyed by Hurricane Katrina. They tried to be sensitive during construction and clean the site after construction. The rocks were placed to retain the soil surrounding the tower and keeping it from eroding. Although they can not please everyone all the time, they did attempt to be as professional as possible. The tower company does not want the tower to fall; they spend extra money on engineering to ensure that it doesn't.

The Chairman stated the tower is built and the commission is not going to say the tower has to come down. If there is an unforeseen safety issue due to its construction, the commission wants to hear about it. The commission only wants to hear any new information.

Bob Almy, resident, said his property line is 112 feet from the tower base, but his driveway access is only 90 feet away. If it falls it will kill someone. He said during construction they parked on several residents' property and damaged the road. The tower is located in a dangerous place and the commission needs to reconsider this permit. He added as required in a previous meeting, the applicant never obtained letters from the residents saying it was okay if the tower falls across their property and if it falls, it will cross his easement. He requested the commission take the time to take a look at the tower, saying it is in a dangerous location.

The Chairman clarified that the tower should not fall across their property line, but the commission cannot mandate that the applicant stay out of the easement. The applicant was required to locate the tower where it would not cross anyone's property line should it fall or obtain letters from adjacent property owners giving permission for it to fall on their property. The applicant decided to locate the tower where it could not fall across anyone's property and therefore, did not need to obtain the letters.

Reid Russell, resident, said no one has addressed earthquakes and this area an earthquake prone zone. Several years back they did have an earthquake in Springdale and some lots were destroyed. If the earth moves that tower is likely to hit the water tank and originally the commission required the tower to be located a 100 feet from the water tank.

The Chairman disagreed and said it was talked about, but the representative from WCWCD gave their approval of the location.

Mr. Russell asked if WCWCD can approve the dangers to their property and the Chairman said if we have an earthquake any tower is liable to go down and that was unreasonable.

James Jorquez, resident, said what new information he has for the officials is Vision Dixie and he gave them the website address. He included it was an extensive, expensive study done on Washington County in 2006 and published in 2007. He said the people behind this report are the movers and shakers' organizations of the county and began listing them.

The Chairman interrupted him asking for the point.

Mr. Jorquez said he is offering something new and the steering committee behind the study included a lot of powerful people who would be very embarrassed by what is happening here.

The Chairman and Mr. Jorquez disagreed about whether or not this was on topic and the Chairman called for a five (5) minute recess.

Michael Powers, council for Atlas Towers, said they have carefully followed this process from a legal stand point and a procedural stand point and they have done everything they can to comply with the rules and regulations that are in place. He included his belief that it is inappropriate to reconsider the approval at this point and requested the permit be approved.

The Chairman clarified that they are not reconsidering the original approval; they are allowing citizens to bring in any information that the commission may not have heard before.

Bill Newman, resident, added the original submission by Atlas Towers included that the tower would be painted to match the water tower. The staff agreed to research the issue.

**Motion was made by Commissioner Everett to recommend approval of the existing 100 foot tower for Atlas Tower in a RA-1 zone, on land owned by the Washington County Water Conservancy District, subject to all of the original conditions being met, with permanent status. Commissioner Cropper seconded the motion, with all five (5) commissioners voting aye.**

**Item #6. CONDITIONAL USE PERMIT EXTENSION** Review extension on an Ultra-marathon event, Red Mountain 50K, which begins west of Central on dirt roads and runs south of Red Butte to Gunlock, then on to the Shivwits Reservation along Old Hwy. 91 to Ivins on April 23, 2011. Red Mountain Running LLC/Jeremy Frehner, applicant.

The Planner explained this will be the 2<sup>nd</sup> extension, which was moved ahead to guarantee a date selected in April. This event is sponsored by the Red Mountain 50 K LLC. This is an Ultra-marathon event 50k, with approximately two hundred fifty (250) attendees listed under their special event coverage. The run begins west of Central on dirt roads and runs south of Red Butte to Gunlock, past the reservoir and through the Shivwits Indian Reservation and on to Unity Park in Ivins. As previously reported, the applicant has obtained letters from the Public Work Department, BLM, and County Sheriff. The Shivwits Indian representative granted approval for crossing the reservation. The County would want to continue to be listed as a beneficiary of the liability insurance policy, review communication and emergency access.

Phil Packard, agent for Red Mountain Running LLC, said they will be having a 50K, 30K and a 5K. He added there have been no changes since last year's race, which had sixty five (65) participants.

**Motion was made by Commissioner Cropper to recommend approval for the Conditional Use Permit Extension on an Ultra-marathon event, Red Mountain 50K, which begins west of Central on dirt roads and runs south of Red Butte to Gunlock, then on to the Shivwits Reservation along Old Hwy. 91 to Ivins on April 23, 2011. Commissioner Balen seconded the motion. All five (5) commissioners voted aye.**

**Item #7. CONDITIONAL USE PERMIT** Request permission for 50k, A Hurricane Jem one-half and full Marathon Trail on BLM Land east of Hurricane and south of the Virgin River. Jeremy Frehner, applicant and Phil Packard, agent.

The Planner noted the event will be along the Sheep's Bridge Road, which is approximately 1 1/4 mile west of Virgin Townsite. The marathon is being held on some of the same trails used by GRO-Promotions for endurance mountain bike racing last fall. This race is scheduled for October 23<sup>rd</sup>, 2010. The race starts and finished at the Sheep's Bridge Access road off SR-9 in Virgin. These types of events are reviewed conditionally at a public meeting to ensure that citizens have the opportunity to comment on the application. The applicant will need a liability insurance policy in place, listing Washington County as a beneficiary. Porta Potties will be based on the numbers in attendance. The applicant is in the process of meeting the criteria set forth by BLM for this activity. The route takes them to Jem Trailhead and back through Chinatown Wash to the Virgin Dam Trailhead. The applicant stated there is no need for sheriff deputy services for the event and cell phones will allow for communication to emergency response with Hurricane as the provider.

Phil Packard, agent, showed the commission the route on a map. He stated he would provide a letter from the owner approving the parking on private property. He included sanitation facilities will be provided based on the BLM requirements.

**Motion was made by Commissioner Balen to recommend approval of the 50k full and one-half marathon, to be held in October 2010. Commissioner Ford seconded the motion, with all five (5) commissioners voting aye.**

**Item #8. DISCUSSION ITEM/CONCEPTUAL MASTER PLAN** Review concept drawing of Palace Pass Renaissance Resort at exit 33 on I-15, Snowfield area. Verna Conde, applicant

The Planner said this is a concept review of the Master Plan for Palace Pass - Phase 1, north of Pintura at the Snowfield Exit. The applicant has had initial reviews with the Washington County Conservancy District for culinary water use and the Ash Creek Special Sewer District on waste disposal. No action needs to be taken on this item. Verna Conde and her agent are here to present.

Joe Hawn, representing the property owner, described the location of the proposed project and said they are only doing Phase 1 at this time, with more to come several years from now. After reviewing the plan with WCWCD and Ash Creek they are limited to building the service station and one or two of the food court restaurants. The septic limits the development. When they move forward to the remainder of the project they will move to a sewer system. He included right now the project is preliminary; they are waiting to see what interest they draw. Currently they have some interest in the service station. In response to the commission, he said they will have ample water for the entire development.

Verna Conde, applicant, explained this is her dream and it will be a Renaissance themed resort. She shared conceptual pictures with the commission.

Todd Edwards, County Engineer, informed the applicant that this project will be subject to the hillside ordinance because the hotel site is over twenty (20) percent slope. The RV park location is also steep. He said they will need to obtain easements from the BLM and UDOT will have to approve the roundabouts being located so close to the off ramps. He stated a second access is needed, as well as a bridge. Mr. Edwards expressed concern about the mixed use nature of the development; saying he thought it fit better with a planned development. He said a natural retention area exists on the property and they would have to be careful not to release more water across the freeway.

**Item #9. PUBLIC HEARING** Open hearing for Washington County Land Use Authority on an amendment to the Chapter 4-1: Definitions: Accessory Building and Accessory Dwelling Unit as per the Washington County Land Use (Zoning) Ordinance. County initiated.

The Chairman opened a public hearing at 3:32 p.m., as referenced by State Code, whereas amending Washington County Land Use Ordinance requires a minimum ten days published notice and 24 hour posting of agenda before other public meetings and this requirement has been met. With no one present to speak to this item the public hearing was closed at 3:34 p.m.

**Item #10. ORDINANCE AMENDMENT** Consider approval of changes to Title10, Chapter 4-1: Definitions: Accessory Building and Accessory Dwelling Unit. County initiated.

The Planner stated these two definitions have been revised from the Planning Commission's review on staff recommendation for text change on Accessory Buildings and Accessory Dwelling Units. There needs to be language on habitable space and occupiable space as defined in the building codes and delete some of the structures defined. Presently, the ordinance does not allow for an accessory building unless there is a primary residential building on the lot before a permit is issued, so that sentence was revised to be permitted concurrently. In the past, staff has issued permits together, so they can be built simultaneously, allowing for their equipment and materials to be stored in a workshop/garage/barn type facility. This has been properly advertised for the hearing process and will go before the County Commission on August 3, 2010.

**Facts/findings:**

- The change clarifies the definition of accessory building and accessory dwelling

**Motion was made by Commissioner Everett to recommend adoption of the ordinance as changed. Commissioner Balen seconded the motion. All five (5) commissioners voted aye.**

**Item #11. PUBLIC HEARING** Open hearing for Washington County Land Use Authority on an amendment to the Chapter 10- 2 & 4: Caretakers dwelling - permitted C-2; delete G; and re-lettering G thru I. as per the Washington County Land Use (Zoning) Ordinance. County initiated.

The Planner said as referenced by state code, this item has been properly advertised.

The Chairman again opened a public hearing at 3:36 p.m. and with no one present to speak to this item, the public hearing was closed.



**Item #12. ORDINANCE AMENDMENT** Consider approval of changes to Title10, Chapter 10-2 & 4: Caretakers dwelling - permitted C-2; delete G; and re-lettering G thru I. County initiated.

The Planner described this particular ordinance amendment as a “housekeeping” item that was requested by the planning commission at a previous meeting, in an effort to make the ordinance consistent with commercial uses and special provisions under the same chapter. This change allows for caretakers dwelling within the C-2 zone and eliminates the wording “Residential Dwellings: No residential dwelling of any kind, except for...” as stated in 10-10-4.G will be deleted. This has been properly advertised for the hearing process and will go before the County Commission on August 3, 2010.

**Facts/findings:**

- Eliminates conflicting requirements in the ordinance
- Allows caretakers in the C-2 zone

**Motion was made by Commissioner Cropper to recommend adoption of the ordinance amendment. Commissioner Everett seconded the motion, with all five (5) commissioners voting aye.**

**Item #13. STAFF DECISIONS** Review of decisions from the Land Use Authority Staff Meeting held on July 6, 2010. County initiated.

The staff meeting convened at 9:30 a.m. Staff Members Present: Deon Goheen, Planning & Zoning Administrator; Kurt Gardner, Building Official; Rachelle Ehlert, Deputy Civil Attorney; Darwin Hall, Ash Creek Special Service District Director; Tina Esplin, Washington County Water Conservancy District; Laurence Parker, Southwest Utah Public Health Department; and Paul Wright, Department of Environmental Quality.

Excused: Ron Whitehead, Public Works Director; and Todd Edwards, County Engineer

**CONDITIONAL USE PERMIT EXTENSION:**

**A. Review extension to have an accessory dwelling within a garage, located at 395 East Pine Valley Road, Lot 3B, in Pine Valley. Mike Albright.**

This item was reviewed for the 3<sup>rd</sup> extension at the previous the previous staff meeting for an accessory dwelling. The permit file does not show that a permit was ever issued. As previously reviewed, the applicant submitted a site plan and floor plan for staff review. An additional septic permit was issued by the Southwest Utah Public Health Department. This meets the criteria set forth for accessory dwelling units, and the accessory dwelling seems to be incidental to the main dwelling. **The staff rescinded their previous motion of June 22, 2010, and tabled this item for two weeks to get further information from the applicant, whereas the chairman of the planning commission suggested that this item should have been denied.**

**B. Request permission to build restrooms for a pavilion within the A-20 zone that was constructed in 1979 by Sterling Tullis (Pmt. #01096 6/14/79) in Pinto. Kirk Tullis, applicant.**

This is an automatic annual review, with the construction of the restrooms being completed and the building permit has not been issued as yet. The property is located across the street from their pavilion, and is used for the camp trailers when they have their reunions. Eventually they may build a cabin on this same parcel. Previously the applicant showed a plan of the facilities and a letter from the Southwest Utah Public Health Department explains that the existing septic appears to be adequate for the proposed construction of the two restrooms. Staff reviewed the possibility of future expansion and indicated a need for a zone change to FR-1 to accommodate the recreational facility. The setbacks for this zone are 25' on all side, rear and frontage. **The staff tabled this item for two weeks to allow the building official time to obtain further information from the applicant on the construction of the restrooms and obtaining a building permit for the project in conjunction with an existing pavilion.**

**C. Request permission for a single family dwelling (cabin) within the A-20 zone in Pinto Townsite. Monica Hafen, applicant.**

This is an automatic annual review for an single family dwelling within the A-20 zone. The building permit #6037 was issued and an inspection for drywall nailing was completed on June 29, 2010. As previously reviewed, the property was deeded as this size of parcel in 1971, so this is a grand-fathered parcel. A lot line adjustment was made, which made the parcel several feet smaller and the applicant's father-in-law is the owner of this parcel and surrounding parcels. The applicant has obtained approval of the Washington County Water Conservancy District (WCWCD) on densities in the Pinto area and the Southwest Utah Public Health Department (SWUPHD) has issued a septic permit. The private well meets quantity and quality. The site plans shows that the setback requirements are met within that zone. **The staff approved the Conditional Use Permit Extension for another one (1) year period.**

**CONDITIONAL USE PERMITS:**

**A. Request permission to build a single family dwelling within the A-20 zone, Red Butte Terraces, lot 4, near New Harmony. Daniel and Lynn Pendery, applicants.**

The applicant has now met all of the requirements for the Conditional Use Permit by submitting a site plan, and having water supplied by the North Valley Water Company, with a receipt from the Ash Creek Sewer District on water density. A septic permit from the Southwest Utah Public Health Department has been issued. The site plan meets all setback requirements of 25' on all property lines of the 20 acre parcel and the building has been assigned permit #6147. **The staff approved the Conditional Use Permit for a single family dwelling for the period of one (1) year.**

**B. Request permission to build an accessory dwelling attached to the carport and main dwelling, located at 2264 N. Dammeron Valley Dr. East, Dammeron Heights, Lot 4. Seth Foster, applicant.**

The applicant meets the requirements for the Conditional Use Permit by submitting a site plan, deeds of ownership, septic permit from the Southwest Utah Public Health Department (SUPHD), and a culinary water use from the Dammeron Valley Water Works. Accessory dwellings are conditionally approved within residential zones, with this property containing a total of 5 acres. The property is accessed from the Dammeron Valley Dr East, generally located north of Dammeron Valley Ranches. The site plan meets all setback requirements of 25' on all sides, rear and front. The Wildland Urban Interface for fire protection would need to be addressed during the permitting process at the staff level. Laurence Parker, SUPHD representative, stated that the septic permit meets their requirements and the Tina Esplin recalled the Washington County Water Conservancy District density approval letter. **The staff decided to grant approval of the Conditional Use Permit for an accessory dwelling for the period of one (1) year.**

**Item #14. MINUTES** Consider approval of the minutes of the regular planning commission meetings held on June 8 and 22, 2010.

**Commissioner Ford made a motion to approve the minutes from June 8, 2010 as written. Commissioner Cropper seconded the motion, with all five (5) commissioners voting aye.**

**Commissioner Balen made a motion to approve the minutes from June 22, 2010. Chairman Stucki seconded the motion. Commissioner Everett abstained, as he was not at the meeting, with the remaining four (4) commissioners voting aye.**

**Item #15. COUNTY COMMISSION ACTION REVIEW** Review of action taken by the County Commission on Planning Items. County initiated.

The Planner reviewed the action taken on Planning Items by the Washington County Commission on July 6, 2010, beginning at 4:00 p.m.: (a) Conditional use extension for a temporary sales office for the Whispering Pine development, 87 lots, on Kolob Mountain...Karl Sorenson, applicant; (b) Conditional use extension on construction of a motocross and ATV track within the OST-20 zone, containing 20 acres, generally located east of Hwy 18 and North Baker Lake Road and 300 East in Central... Robert and Mary Houston, applicants and Gary Simonson, agent; and (c) Conditional use for a charity ride Tour De St. George to be held on October 16, 2010. The route will loop from St. George up Hwy 18 to Snow Canyon turn off located north of Winchester Hills, then from Kayenta along Old Hwy 91 in the Ivins area and portions of Old Hwy 91 north and south of Leeds... Spin Geeks, LLC/Chris Mathisen, applicant.

The Planner said all the above mentioned items were approved based on the recommendations of the Planning Commission, however the County Commission did ask her to write the applicant a letter regarding dust control.

**Item #16. COMMISSION & STAFF REPORTS:** General reporting on various topics. County initiated.

**Commissioner Balen made a motion to adjourn the meeting. Commissioner Ford seconded the motion, with all five (5) commissioners voting aye.**

There being no further business at 3:46 p.m., Chairman Stucki adjourned the meeting.

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Darby Klungervik, Planning Secretary